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PATENT

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Alvarez
51401IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

In re application:)
Serial No.: 09/662,203)
Filed: September 14, 2001)
For: Breathing Assistance Apparatus)
Applicants: Nicholas Charles Alan Smith)
and Alastair Edwin McAuley)
Examiner: Not yet assigned)
Group Art Unit: 3761)
Atty. Docket No.: 1171/38911/80)

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO THE ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231:

January 30, 2001

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INFORMATION DISCLOSURE STATEMENT

Asst. Commissioner for Patents
Washington, D.C. 20231

Sir:

In accordance with Applicant's duty of candor under 37 CFR §1.56 and in compliance with 37 CFR §1.97 and §1.98, Applicant is not aware of any material prior art but, in an abundance of caution and candor, Applicant submits the present Information Disclosure Statement and the attached Form PTO-1449. Copies of the listed references are included herewith.

This Information Disclosure Statement is being filed before receipt of a first Office Action on the merits and constitutes a bona fide attempt to comply with 37 CFR §1.97 and §1.98.

In accordance with 37 CFR §1.97, the presentation of this information shall not be construed as a representation that a search has been made or that no other material information as defined in 37 CFR §1.56 exists, or as an admission that the information cited in this statement is, or is considered to be, material to patentability as defined in 37 CFR §1.56.

Respectfully submitted,

Dated: January 30, 2001

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